



**US Army Corps  
of Engineers  
Memphis District**

# Public Notice

**REPLY TO ATTN: Randy Clark**  
U.S. Army Corps of Engineers  
167 N Main Street, RM B202  
Memphis, TN 38103-1894  
Telephone (901) 544-0735  
FAX (901) 544-0211  
Email: James. R. Clark@mvm02.usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:**

**PUBLIC NOTICE NO:**  
MS 2007- 403 [RC]

**DATE:**  
October 1, 2007

**EXPIRATION DATE:**  
October 31, 2007

**File No. 2007-403**

JOINT PUBLIC NOTICE  
CORPS OF ENGINEERS  
and  
STATE OF MISSISSIPPI

The Memphis District Corps of Engineers, hereby gives notice pursuant to Sections 401 and 404 of the Clean Water Act (CWA) and 33 CFR 337 published in the Federal Register April 26, 1988, of the U.S. Government's proposed deposition of dredged material in connection with maintenance dredging.

**APPLICANT:** Memphis District Corps of Engineers  
Operations Division  
67 N. Main Street, RM B-202  
Memphis, TN 38103-1894  
Telephone (901) 544-3471

**AUTHORIZATION:** Mississippi River Channel Maintenance Dredging project is authorized under the Flood Control Act of May 15, 1928 and amendments June 15, 1936, June 28, 1938, August 18, 1944 and December 22, 1994. The project provides for a suitably aligned navigation channel 12 feet deep and 300 feet wide. Present funding limits the project to a channel 9 feet deep and 300 feet wide.

**LOCATION:** At various locations on the Mississippi River, between River Miles 599 and 715 AHP, as shown on the attached Location Maps.

**PURPOSE:** To maintain the authorized navigation channel within the Mississippi River.

**DESCRIPTION OF WORK:** Dredging is conducted on an as-needed basis to maintain the minimum project channel dimensions at any river stage. Mississippi River channel maintenance dredging is done by use of dustpan hydraulic dredges. The dustpan dredges operate by making a series of relatively narrow, adjacent parallel cuts, discharging the material overboard in the same pattern as the dredge cuts and at a distance of approximately 800 feet perpendicular to the direction of the cuts. The material may be discharged to either side of the dredge cut and is transported from the cut area to discharge area through a pipeline supported by pontoons.

Approximately 10 million cubic yards of material are deposited annually by the dustpan dredges. Table I lists location by name and river mile, and approximate annual quantities of material dredged in recent years. Due to the amount of bedload movement and the continual migration of sand bars, it is not possible to predict exact locations where dredging and associated discharge will be required. The anticipated discharge areas have been previously covered by earlier water quality certifications.

Designation of the proposed disposal sites for dredged and fill material associated with this Federal project shall be made through the application of guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), in conjunction with the Secretary of the Army. The Administrator, EPA, has not previously designated the areas as disposal sites. A Section 404(b)(1) evaluation will be prepared at the close of the comment period.

**Table I. Current Dredging Sites Between Mississippi River Miles 599 and 715 AHP.**

CROSSING NAME	RIVER MILE	QUANTITY DREDGED MILLION CUBIC YARDS
Nelms	711	0.4
Norfolk Star	708	0.7
Finley Towhead	703	0.8
Commerce	695	1.5
Mhoon Bend	687	0.5
Harbert Point Upper	676	0.35
Westover	653	0.55
Robson	630	0.85
Clay Wilson	604	0.4

The purpose of this public notice is to renew the navigational dredging project water quality certification with the State of Mississippi, to advise all interested parties of the proposed activity and to solicit comments and information necessary to evaluate the probable impact. This notice is being circulated to the following Federal, state, and local environmental agencies:

Environmental Protection Agency, Atlanta, GA  
U.S. Fish and Wildlife Service, Vicksburg, MS  
National Park Service, Albuquerque, NM  
Mississippi Wildlife Fisheries and Parks, Jackson, MS

**THREATENED AND ENDANGERED SPECIES** - This notice is being coordinated with the USFWS. The Memphis District is aware of interior least tern nesting sites and avoids dredging in the vicinity of these sites during the nesting season. The pallid sturgeon, *Scaphirhynchus albus*, is known to utilize the Mississippi River; however, little is known about the species' ecological and habitat requirements in the lower Mississippi River. There have been a few reports of the species within the Memphis District. The Mississippi Valley Division has initiated a study to gather information about habitat requirements, the impact of gravel dredging and the presence of the pallid sturgeon within the Districts. We have agreed to refrain from navigational dredging from April 1 to June 30, unless extreme low water conditions occur during the spawning season. We will consult with USFWS on those occasions. Any comments USFWS may have regarding this species or other endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

**CULTURAL RESOURCES** - The Memphis District is complying with the National Historic Preservation Act of 1966 and implementing regulations found in 36 CFR Part 800. The Memphis District will evaluate information provided by the State Historic Preservation Office and the public in response to this public notice and we may conduct or require a survey of the project area.

**National Environmental Policy Act (NEPA)**. An EIS for the Mississippi Rivers and Tributaries Project was prepared pursuant to NEPA. An EA will be prepared at the conclusion of the comment period to update the record,

**WATER QUALITY CERTIFICATION** - By copy of this public notice, the Memphis District is requesting water quality certification from the Mississippi Department of Environmental Quality, Office of Pollution Control, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or waiver thereof, must be submitted prior to the start of dredging.

Notice Number: MS 2007-403(RC)  
Applicant: Memphis District CE

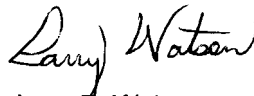
Commentors are requested to also furnish a copy of their comments to the Mississippi Department of Environmental Quality, Office of Pollution Control, P.O. Box 10385, Jackson, MS 39289-0385. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally-recognized Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to modify, or condition the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an EA and/or an EIS pursuant to NEPA.

Any person who has an interest which may be affected by the deposition of this material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice, and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

If you wish to obtain additional information or to submit comments on the proposal, please contact Randy Clark, at the U.S. Army Corps of Engineers, 167 N Main Street, RM B202, Memphis, TN 38103-1894, telephone 901/544-0735.

Comments should be forwarded to reach this office by October 31, 2007.

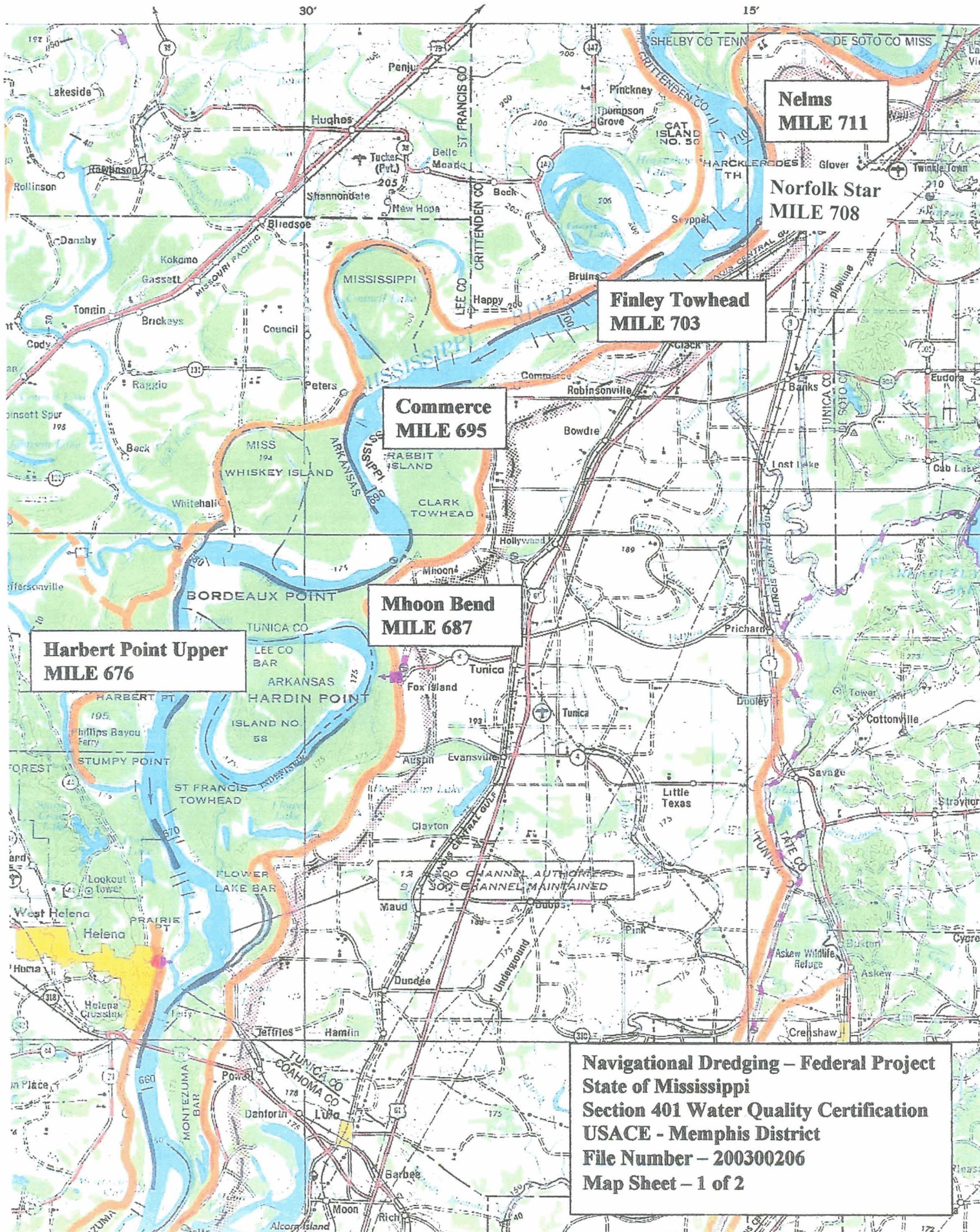


Larry D. Watson  
Chief  
Regulatory Branch

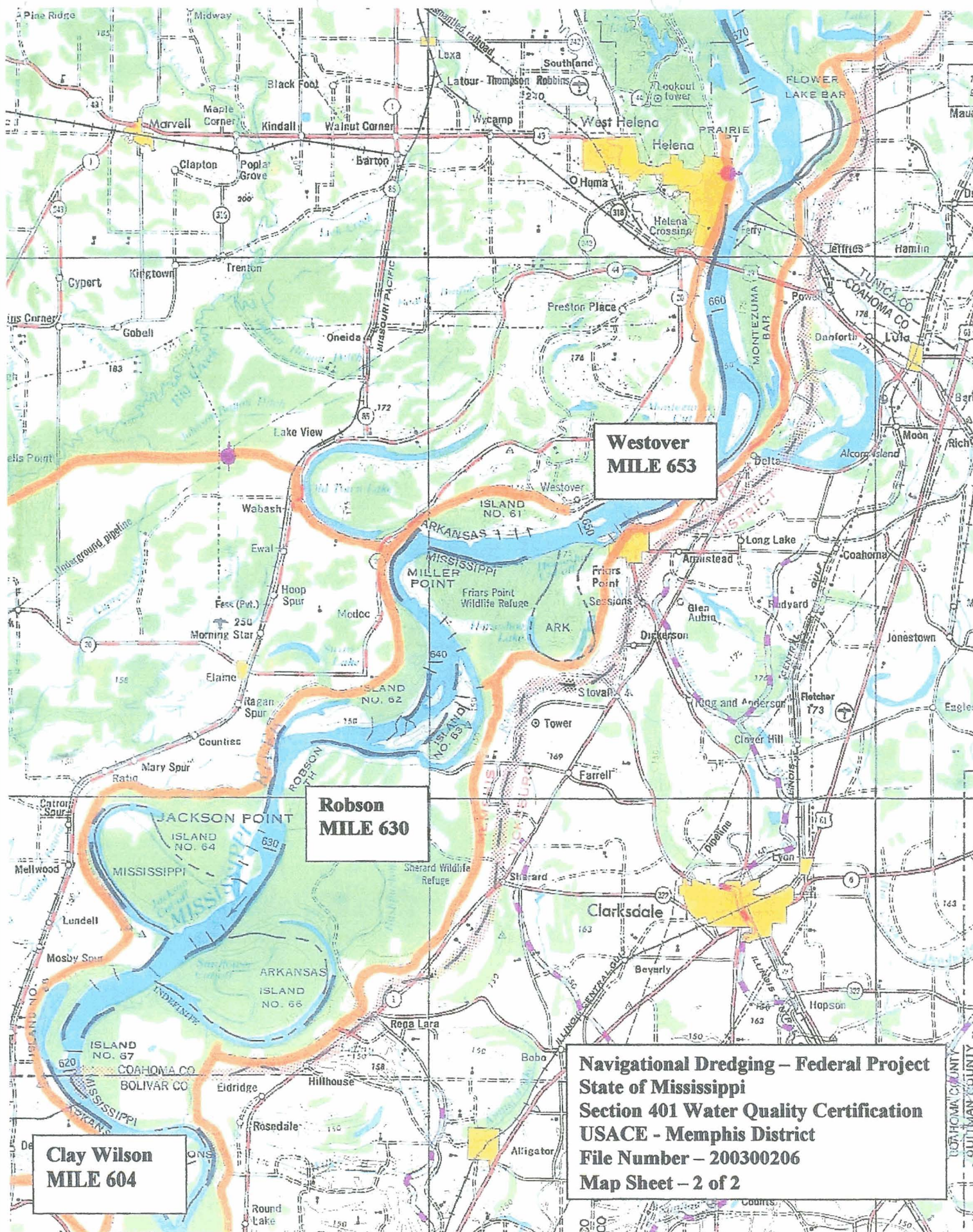
Attachments











**Westover  
MILE 653**

**Robson  
MILE 630**

**Clay Wilson  
MILE 604**

**Navigational Dredging - Federal Project  
State of Mississippi  
Section 401 Water Quality Certification  
USACE - Memphis District  
File Number - 200300206  
Map Sheet - 2 of 2**